



Postal Registration No. N. E.—771/2006-2008

# The Gazette of Meghalaya

PUBLISHED BY AUTHORITY

No. 6

Shillong, Thursday, February 12, 2015

23rd Magha, 1936 (S. E.)

*Separate paging is given on this part in order that it may be filed as a separate compilation.*

## PART-IIA

### GOVERNMENT OF MEGHALAYA ORDERS BY THE GOVERNOR

#### NOTIFICATIONS

The 3rd February, 2015.

**No. ERTS (E) 40/2014/48** - In exercise of the powers conferred by Section 36 of the Meghalaya Excise Act (Assam Excise Act 1 of 1910 as adapted by Meghalaya) and in partial modification of this Department Notification No. ERTS (E) 11/98/47 dt. 25.4.2003, the Governor of Meghalaya is pleased to make the following rule further to amendment the Meghalaya Excise Rules (Assam Excise Rules as adapted and amended by Meghalaya) (hereinafter referred to as the Principal Rules) namely:-

#### **Short title and Commencement-**

1. (1) These Rules may be called the Meghalaya Excise (Amendment) Rules 2015.  
(2) They shall come into force with immediate effect.

In rule 363 of the principal Rules, after the sentence ending with words “granted by him”, the following may be deleted, namely;

“However, registration of brand name and label of IMFL manufactured or bottled in the States of Assam, Arunachal Pradesh, Nagaland, Manipur, Mizoram and Tripura will not be entertained.”

**J. LYNGDOH,**

Commissioner & Secretary to the Government of Meghalaya,  
Excise, Registration, Taxation & Stamps Department.

The 4th February, 2015.

**No. LBG.73/12/560:-** The Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 is an Act to regulate the employment and conditions of service of building and other construction workers and to provide for their safety, health and welfare measures. Further, the Building & Other Construction Workers Welfare Cess Act, 1996 (Cess Act) is an Act to provide for the levy and collection of a cess on the cost of construction incurred by employers to augment the resources of the Building & Other Construction Workers Welfare Boards constituted under the Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.

Section 3 of the Cess Act provides for mandatory levy and collection of cess on the cost of construction which are covered under section 2(d) of the Building & Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996. The Government of India vide Notification No.S-61011/9/95-RW [S0.2899] dated the 26<sup>th</sup> September, 1996 has provided that the cess shall be levied at 1% of the cost of construction incurred by an employer which shall exclude the cost of land and any compensation paid or payable to a worker or his kin under the Employees Compensation Act, 1923.

Section 3(2) of the Cess Act provides that the cess shall be collected from every employer in such manner and at such time, including deduction at source in relation to a building or other construction work of a Government or of a Public Sector Undertaking or advance collection through a local authority where an approval of such building or other construction work by such local authority is required. Rule 2(f) of the Building & Other Construction Workers Welfare Cess Rules, 1998 defines "Cess Collector" as an officer appointed by the State Government for collection of cess under the Act.

Therefore, in exercise of the powers conferred under Section 3(2) of the Building & Other Construction Workers Welfare Cess Act, 1996, (28 of 1996) read with Rule 2(f) of the Building & Other Construction Workers Welfare Cess Rules, 1998, the Governor of Meghalaya is pleased to appoint the local authority i.e. the Meghalaya Urban Development Authority, (MUDA) as the Cess Collector within its jurisdiction and to perform the functions provided under Section 3 (2) of the Cess Act.

The Meghalaya Urban Development Authority (MUDA) shall in, accordance with Section 3 (2) of the Cess Act, obtain the estimated cost of the construction along with the building plans which are submitted to them for approval by the concerned employers i.e. owners/contractors, builders etc and shall collect upfront an amount of 1% of the estimated cost furnished along with building plans and remit by way of a A/c Payee Cheque drawn in favour of the Secretary, Meghalaya Building & Other Construction Workers Welfare Board, Office of the Labour Commissioner, Lower Lachumiere, Shillong-793001 along with a forwarding letter within 30 days of its collection in terms of Rule 5(3) of the Cess Rules.

In case of individual residential building plans, the 1% cess shall be collected only when the estimated cost is more than ₹ 10 Lakhs (Rupees Ten Lakhs).

Before remitting the cess amount to the Secretary, Meghalaya Building & Other Construction Workers Welfare Board, the local authority i.e MUDA may deduct from the cess collected or claim from the Board, as the case may be, actual collection expenses not exceeding 1% of the total amount collected in terms of Rule 5(2) of the Cess Rules.

**M. S. RAO,**

Principal Secretary to the Government of Meghalaya,  
Labour Department.

The 28th January, 2015.

**NO.TPT.120/2013/17** – Pending disciplinary action to be taken and framing of charges against him, the Governor of Meghalaya is pleased to place Shri. A.D. Tyngkan, District Transport Officer & Secretary Regional Transport Authority, Nongpoh, under suspension under Rule 6 sub rule (a) of the Meghalaya Services (Discipline & Appeal) Rules, 2011,

During the period of his suspension, Shri. A.D. Tyngkan, District Transport Officer, Nongpoh, shall not be paid anything except the subsistence allowance as admissible under *Fundamental Rules 51 of the Meghalaya fundamental Rules and Subsidiary Rules, 1984*

**Y. TSERING,**

Additional Chief Secretary to the Government of Meghalaya,  
Transport Department.

The 4th February, 2015.

**No. LBG.73/12/561:-** The Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 is an Act to regulate the employment and conditions of service of building and other construction workers and to provide for their safety, health and welfare measures. Further, the Building & Other Construction Workers Welfare Cess Act, 1996 (Cess Act) is an Act to provide for the levy and collection of a cess on the cost of construction incurred by employers to augment the resources of the Building & Other Construction Workers Welfare Boards constituted under the Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996.

Section 3 of the Cess Act provides for mandatory levy and collection of cess on the cost of construction which are covered under section 2(d) of the Building & Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996. The Government of India vide Notification No.S-61011/9/95-RW [S0.2899] dated the 26<sup>th</sup> September, 1996 has provided that the cess shall be levied at 1% of the cost of construction incurred by an employer which shall exclude the cost of land and any compensation paid or payable to a worker or his kin under the Employees Compensation Act, 1923.

Section 3(2) of the Cess Act provides that the cess shall be collected from every employer in such manner and at such time, including deduction at source in relation to a building or other construction work of a Government or of a Public Sector Undertaking or advance collection through a local authority where an approval of such building or other construction work by such local authority is required. Rule 2(f) of the Building & Other Construction Workers Welfare Cess Rules, 1998 defines "Cess Collector" as an officer appointed by the State Government for collection of cess under the Act.

Therefore, in exercise of the powers conferred under Section 3(2) of the Building & Other Construction Workers Welfare Cess Act, 1996, (28 of 1996) read with Rule 2(f) of the Building & Other Construction Workers Welfare Cess Rules, 1998, the Governor of Meghalaya is pleased to appoint the local authority i.e. the Shillong Cantonment Board as the Cess Collector within its jurisdiction and to perform the functions provided under Section 3 (2) of the Cess Act.

The Shillong Cantonment Board shall in, accordance with Section 3 (2) of the Cess Act, obtain the estimated cost of the construction along with the building plans which are submitted to them for approval by the concerned employers i.e. owners/contractors, builders etc and shall collect upfront an amount of 1% of the estimated cost furnished along with building plans and remit by way of a A/c Payee Cheque drawn in favour of the Secretary, Meghalaya Building & Other Construction Workers Welfare Board, Office of the Labour Commissioner, Lower Lachumiere, Shillong-793001 along with a forwarding letter within 30 days of its collection in terms of Rule 5(3) of the Cess Rules.

In case of individual residential building plans, the 1% cess shall be collected only when the estimated cost is more than ₹ 10 Lakhs (Rupees Ten Lakhs).

Before remitting the cess amount to the Secretary, Meghalaya Building & Other Construction Workers Welfare Board, the local authority i.e Shillong Cantonment Board may deduct from the cess collected or claim from the Board, as the case may be, actual collection expenses not exceeding 1% of the total amount collected in terms of Rule 5(2) of the Cess Rules.

**M. S. RAO,**

Principal Secretary to the Government of Meghalaya,  
Labour Department.

The 4th February, 2015.

**No.PW/Admn/45/2000/395** - In the interest of works of the Department and administrative convenience, the Governor of Meghalaya is pleased to order transfer of the following State Roads from the jurisdiction of P.W.D. (Roads) Jowai North Division and P.W.D. (Roads), Jowai South Division, Jowai to P.W.D. (Roads) Jowai Central Division, Jowai as indicated below with immediate effect.

Sl.	Name of Roads	Length of Roads
1.	Approach Road from JNKK 5to Mupliang Myrjai only portion of 21 <sup>st</sup> & 22 <sup>nd</sup>	2.00 Kms
2.	Nartiang Nongpoh Road	24.00 Kms
3.	Maya Club to Iaw Pynsin Road	7.0 Kms
4.	Wahiajer Internal Village Road	1.705 Kms
5.	Approach Road to Sohshrieh from LNKT Road	1.0 Kms
6.	Sohphoh Bamkamar, Nongkhroh Road	5.00 Km
7.	Demthring Sohmynting Moodymmai Road	2 Kms
8.	Internal Road at Niriang	2.08 Kms
9.	Link Road to Litang Valley	2.80 Kms
10.	Internal Village Road at Moodymmai (Br. Rd. No. 1,2,3,4,5,& 6)	4.28 Kms
11.	Jongsha Kharang Dienglieng Nongjrong Wahiajer Road (portion from 11 <sup>th</sup> Km to 22.33 Km)	12.33 Kms

**M. M. SUN,**

Secretary to the Government of Meghalaya,  
Public Works (R&B) Department.

The 10th February, 2015.

**No.PER.54/2014/12** - The following Notification issued by the Ministry of Personnel, P.G. & Pensions, Department of Personnel & Training, New Delhi is re-published for general information.

“Notification No.11058/03/2014-AIS -III, dt.4<sup>th</sup> December, 2014.

G.S.R - In exercise of the powers conferred by sub-section (1) of section 3 of the All India Services Act, 1951 (61 of 1951), the Central Government, after consultation with the State Governments, makes the following rules further to amend the Indian Administrative Service (Probation) Rules, 1954, namely:-

1. (1) These rules may be called the Indian Administrative Service (Probation) Amendment Rules, 2014.

(2) They shall come into force from 01.01.2015.

2. In the Indian Administrative Service (Probation) Rules, 1954, for sub-rule (2) of rule 5, the following proviso shall be inserted namely:-

“Provided further that a probationer who has less than four years of service for retirement on superannuation at the time of his induction into IAS or has undergone mid-career training programme category III after induction, may not be nominated for Induction training. In such cases, the first proviso of the aforesaid sub-rule shall not be applicable.”

JISHNU BAURA,  
Joint Secretary to the Government of India.

Note – The principal rules were published in the Gazette of India, Part-II, Section 3, Sub section (i) vide number G.S.R. 152(E), dated the 8<sup>th</sup> September, 1954 and subsequently amended:-

Sl. No.	G.S.R. Number	Date
(i)	13/01/57-AIS (III)	The 17 <sup>th</sup> March, 1958
(ii)	2/1/61-AIS (I)	The 05 <sup>th</sup> June, 1961
(iii)	165	The 02 <sup>nd</sup> February, 1963
(iv)	1163	The 22 <sup>nd</sup> August, 1964
(v)	101	The 28 <sup>th</sup> January, 1967
(vi)	944	The 24 <sup>th</sup> June, 1967
(vii)	1426	The 3 <sup>rd</sup> August, 1968
(viii)	1882	The 26 <sup>th</sup> October, 1968



(ix)	4/36/65-AIS-(III)-A	The 06 <sup>th</sup> May, 1969
(x)	1216,1219	The 24 <sup>th</sup> May, 1968
(xi)	1086	The 23 <sup>rd</sup> August, 1969
(xii)	22/4/71-AIS(III)-A	The 21 <sup>st</sup> August, 1971
(xiii)	13/4/71-AIS(I)	The 11 <sup>th</sup> January, 1972
(xiv)	388	The 1 <sup>st</sup> April, 1972
(xv)	1248	The 22 <sup>nd</sup> September, 1972
(xvi)	471	The 18 <sup>th</sup> May, 1974
(xvii)	22/2/71-AIS-(III)-A	The 15 <sup>th</sup> June, 1974
(xviii)	39	The 02 <sup>nd</sup> January, 1975
(xix)	904	The 26 <sup>th</sup> June, 1976
(xx)	1019	The 17 <sup>th</sup> July, 1976
(xxi)	1360	The 25 <sup>th</sup> September, 1976
(xxii)	1767	The 25 <sup>th</sup> December, 1976
(xxiii)	1397	The 02 <sup>nd</sup> October, 1976
(xxiv)	11037/6/77-AIS(III)	The 10 <sup>th</sup> June, 1978
(xxv)	453	The 09 <sup>th</sup> May, 1981
(xxvi)	555	The 30 <sup>th</sup> July, 1983
(xxvii)	11037/3/86-AIS(III)	The 25 <sup>th</sup> August, 1986
(xxviii)	639	The 23 <sup>rd</sup> June, 1989
(xxix)	638(E)	The 23 <sup>rd</sup> June, 1989
(xxx)	11037/2/98-AIS-III	The 07 <sup>th</sup> June, 1999
(xxxi)	354	The 14 <sup>th</sup> September, 2002
(xxxii)	379(E)	The 11 <sup>th</sup> May, 2011

**JISHNU BAURA,**  
Joint Secretary to the Government of India.

The 9th February, 2015.

**No.PW/Admn/124/85/148.**—Consequent upon shifting of the Headquarter of P.W.D. (Roads), N.E.C. Division, Jowai from Jowai to Khliehriat, the Governor of Meghalaya is pleased to rename the Office of the Executive Engineer, P.W.D. (Roads), NEC Division Jowai to Office of the Executive Engineer, P.W.D. (Roads), NEC Division, Khliehriat with immediate effect.

**M. M. SUN,**

Secretary to the Government of Meghalaya,  
Public Works (R&B) Department.